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REMARKS/ARGUMENTS

Claims 1-21 are pending in this application.

The Examiner has indicated that the outstanding Office Action is a Final Office Action (paragraph no. 7 of the Office Action). The Examiner is reminded "[b]efore [a] final rejection is in order[,] a **clear issue** should be developed between the examiner and applicant." MPEP § 706.07 (emphasis added). Since the Examiner has failed to specifically address Applicants' argument that lines 4-6 of page 2 of the English translation of Kobayashi provided to the Examiner with the Supplemental Request for Reconsideration filed on March 17, 2003 specifically state that "[c]apacitors C8 to C11 and coils L6 to L10 constitute a high-pass filter for blocking an intermediate frequency component" (emphasis added), and thus, that, contrary to the Examiner's allegations, Kobayashi teaches that coil L8 is an integral component of the high-pass filter shown in Fig. 5, NOT "a common line defined by an element that is independent of said first LC filter circuit unit and said second LC filter circuit unit" (emphasis added) as recited in Applicants' claim 1 and similarly in Applicants' claims 11 and 21, the Examiner has clearly failed to develop a clear issue.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the Finality of the outstanding Office Action.

Furthermore, Applicants respectfully request that, in response to this Request for Reconsideration, the Examiner specifically address all of the arguments presented in the Request for Reconsideration filed on November 3, 2003 and in this Request for Reconsideration.

Claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by Kobayashi (JP 52-50605). Claims 2-8 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kobayashi in view of Lopez et al. (U.S. Patent No. 5,132,647). Claims 9-20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kobayashi in view of Kato et al. (U.S. 5,140,497). Applicants respectfully traverse the rejections of claims 1-21.

Claim 1 recites:

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"An input-output balanced filter comprising:
first and second input terminals and first and second output terminals;
a first LC filter circuit unit including a common side line, said first LC filter circuit unit being connected between said first input terminal and said first output terminal;
a second LC filter circuit unit including a common side line, said second LC filter circuit unit being connected between said second input terminal and said second output terminal;
a common line defined by an element that is independent of said first LC filter circuit unit and said second LC filter circuit unit;
wherein said common side line of said first LC filter circuit unit is electrically and directly connected to said common side line of said second LC filter circuit unit via said common line; and
an approximate midpoint of said common line is defined as a common phase reference point of each of said first and second LC filter circuit units." (emphasis added)

Claims 11 and 21 recite features that are similar to the features recited in claim 1, including the emphasized features. Claim 21 further limits the first and second LC filter circuit units to first and second LC bandpass filter circuit units.

First, as noted in the Request for Reconsideration filed on November 3, 2003, the Examiner alleged in paragraph no. 2 on page 2 and in paragraph no. 9 on page 13 of the outstanding Office Action that Kobayashi teaches a first LC filter (L6, L7, C8, and C9), a second LC filter (L9, L10, C10, and C11), and a common line defined by element L8. The Examiner has failed to provide any evidence that the circuit defined by elements L6, L7, C8, and C9 and the circuit defined by elements L9, L10, C10, and C11 function as LC filter circuits. In fact, lines 4-6 of page 2 of the English translation of Kobayashi provided to the Examiner with the Supplemental Request for Reconsideration filed on March 17, 2003 state that "[c]apacitors C8 to C11 and coils L6 to L10 constitute a high-pass filter for blocking an intermediate frequency component" (emphasis added). That is, contrary to the Examiner's allegations, Kobayashi teaches that coil L8 is an integral component of the high-pass filter shown in Fig. 5, and thus, cannot be fairly construed as "a common line defined by an element that is independent of said first LC filter circuit unit and said second LC filter

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circuit unit" (emphasis added) as recited in Applicants' claim 1 and similarly in Applicants' claims 11 and 21.

Furthermore, in response to this argument, the Examiner has completely failed to address how element L8 of Kobayashi, which is specifically disclosed as being an element of the high pass filter, can be fairly construed as "a common line defined by an element that is independent of said first LC filter circuit unit and said second LC filter circuit unit" (emphasis added) as recited in Applicants' claim 1 and similarly in Applicants' claims 11 and 21.

Second, as argued in the previous Amendment dated February 19, 2003, the Examiner has failed to provide any evidence that Kobayashi teaches or suggests the feature of "an approximate midpoint of said common line is defined as a common phase reference point of each of said first and second LC filter circuit units" as recited in Applicants' claim 1 and similarly in Applicants' claims 11 and 21. The Examiner has alleged in paragraph no. 2 on page 3 and in paragraph no. 6 on page 13 of the outstanding Office Action that because the circuit illustrated in Fig. 5 of Kobayashi has the same structural arrangement as the claimed invention, the circuit would inherently perform the same and have the same effects as the present claimed invention. Applicants respectfully disagree.

As noted above, contrary to the Examiner's allegations, Kobayashi clearly fails to teach or suggest the same structural arrangement as the present claimed invention because Kobayashi fails to teach or suggest the claimed feature of "a common line defined by an element that is independent of said first LC filter circuit unit and said second LC filter circuit unit" as recited in Applicants' claim 1 and similarly in Applicants' claims 11 and 21. Thus, Kobayashi clearly does not inherently teach or suggest the feature of "an approximate midpoint of said common line is defined as a common phase reference point of each of said first and second LC filter circuit units" as recited in Applicants' claim 1 and similarly in Applicants' claims 11 and 21.

In response to this argument, the Examiner alleged Kobayashi discloses that "also, the structure of Fig. 5 uses only a low-Q fixed band filter . . . which is practically

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required in the VHF band . . . ' Thus, two LC filters of TV receiver antenna in Fig. 5 function as VHF band (pass) filters." However, the Examiner's allegations are clearly inconsistent with the specifically disclosed fact in Kobayashi that "capacitors C8 to C11 and coils L6 to L10 constitute a high-pass filter . . ." In other words, the high-pass filter of Kobayashi includes capacitors C8 to C11 and coils L6, L7, L8, L9 and L10. Thus, the inductor L8 of Kobayashi is not independent of a first LC filter circuit unit and a second LC filter circuit unit, but rather is an integral component of the high-pass filter of Kobayashi. Therefore, contrary to the Examiner's allegations, Kobayashi does not teach or suggest the same structural arrangement as the claimed invention.

At best, a strained interpretation of Kobayashi would include two high pass filters. One of these high pass filters includes elements C8, C9, L6, L7 and L8, and the other high pass filter includes elements C10, C11, L9, L10 and L8. If the high pass filters did not include the inductor L8 as an integral component thereof, neither of the high pass filters would function as a high pass filter. Thus, the inductor L8 of Kobayashi cannot be fairly construed as "a common line defined by an element that is independent of said first LC filter circuit unit and said second LC filter circuit unit" as recited in Applicants' claim 1 and similarly in Applicants' claims 11 and 21.

The Examiner's interpretation that Kobayashi teaches two LC filters (L6, L7, C8 C9, and L9, L10, C10, C11) commonly connected by an inductor L8 is clearly contrary to the specific teaching in Kobayashi that the inductor L8 is an integral component of the high pass filter.

The Examiner has relied upon Lopez and Kato et al. to allegedly cure various deficiencies in Kobayashi. However, neither Lopez nor Kato et al. teaches or suggests the features of "a common line defined by an element that is independent of said first LC filter circuit unit and said second LC filter circuit unit" and "an approximate midpoint of said common line is defined as a common phase reference point of each of said first and second LC filter circuit units" as recited in Applicants' claim 1 and similarly in Applicants' claims 11 and 21.

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Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claim 1 under 35 U.S.C. § 102(b) as being anticipated by Kobayashi, the rejection of claim 11 under 35 U.S.C. § 103(a) as being unpatentable over Kobayashi in view of Kato et al., and the rejection of claim 21 under 35 U.S.C. § 103(a) as being unpatentable over Kobayashi in view of Lopez et al.

Accordingly, Applicants respectfully submit that Kobayashi, Lopez, and Kato et al., applied alone or in combination, fail to teach or suggest the unique combination and arrangement of elements recited in claim 1, 11, and 21 of the present application. Claims 2-10 depend upon claim 1 and are therefore allowable for at least the reasons that claim 1 is allowable. Claims 12-20 depend upon claim 11 and are therefore allowable for at least the reasons that claim 11 is allowable.

MPEP 707.02 "Applications Up for Third Action and 5-year Application" sets forth that "the supervisory patent examiners are expected to personally check on the pendency of every application which is up for the third or subsequent official action with a view to finally concluding its prosecution. Any application that has been pending five years should be carefully studied by the supervisory patent examiner and every effort made to terminate its prosecution. In order to accomplish this result, the application is to be considered 'special' by the examiner." Since, the Examiner has issued four Office Actions and the present application has been pending for more than five years, Applicants respectfully request that the Examiner make this application "special" and review this application with the SPE in order to expedite prosecution.

In view of the foregoing remarks, Applicants respectfully submit that this application is in condition for allowance. Favorable consideration and prompt allowance are solicited.

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The Commissioner is authorized to charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-1353.

Respectfully submitted,

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